

### **REMARKS**

Claims 1-20 remain in the application. Applicants respectfully request reconsideration of this application.

*Claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carmon et al. (5,960,360) in view of Chen (US 2003/0134655).*

*Claims 11-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carmon in view of Chen as applied to Claim 8 and further in view of Komatsu (5,852,782).*

*Claims 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carmon in view of Chen as applied to Claims 1 and 8 and further in view of Cao et al. (US 2003/0144021).*

*Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Carmon in view of Chen in view of Komatsu, as applied to Claim 14, and further in view of Cao.*

Applicants respectfully traverse the rejections. None of the cited references taken individually or in combination teach that which is claimed and taught by Applicants' invention. All of the rejections above appear to be based primarily on the Carmon reference. The Carmon reference provides a TDMA system. Independent Claims 1, 8, 14, and 15 are directed to devices *participating* in a *group* call and in which a reverse channel is a *common* channel that is *temporally* the same for all the receiving devices involved in the group call. Applicants respectfully disagree with the Examiner's statement that Carmon's TDMA channel can be divided into time slots enabling a channel to be shared by a plurality of mobile stations – the time slots enabling each mobile station to share the same channel for a finite period of time. Carmon teaches using TDMA for dispatch communications in repeater systems for talk-around – this is not the equivalent of the Applicants' group call with power control. In fact, Carmon's standard use of TDMA actually teaches away from Applicants' invention, because the use of Carmon's TDMA system would use up too much bandwidth to allow for a group call with power control on dedicated TDMA slots for each user. Additionally, Carmon does not teach how to use a reverse channel, Carmon teaches going from trunking mode to direct mode which is not the equivalent of reverse channel. Applicants' invention uses TDMA between transmit and receive

signals. In Applicants' invention both the transmit and receive signal are simultaneously communicating on the same frequency. As such Applicants assert that Carmon, even if combined with any of the other cited references would not provide that which is claimed by Applicants' invention.

Additionally, as to the Chen reference, Chen uses power control in "indirect" mode. Chen sends quality metrics to the base station only if the measured quality metric is not satisfactory from the radios (paragraph 0067). The base station of Chen gets to know the poor quality from each radio. Applicants transmitting radio, on the other hand, does not keep a database of each radio and the metrics being received. The transmitting of Applicants' invention does not know who within the group call is/are receiving the communication. The only thing the transmitting radio knows is to proactively decrease its transmission power until any one or multiple radios send the reverse channel back to the transmitter (as claimed in claim 2).

Also, in paragraph (0070) Chen teaches many channels, such as R-DCCH, R-PCH, R-PCSCH, whereas Applicants claims 4, 5 and 6 pertain to a power control message and synchronization symbols *in the same channel*. All other dependent claims provide further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance.

As to claims 11-17, in addition to the arguments made above to Carmon and Chen, the Komatsu references teaches a method for decreasing or increasing the power level of an amplifier to maintain a contact signal quality. Komatsu's method always needs a channel to increase or decrease power. Applicants' invention, on the other hand, teaches and claims reducing the power level of a transmitter during a group call in the absence of a power control messages on the reverse channel - in other words in the absence of the reverse channel. This aspect is claimed in dependent claim 11: *"wherein the step of adjusting comprises decreasing the transmit power level when a non-presence of a predetermined number of power control messages is observed on the reverse channel within a window of time"*; as well as independent claim 12: *"decrementing the oscillation counter value when a non-presence of a predetermined number of power control messages is observed on the reverse channel within a window of time"*; and further claimed in independent claim 14: *"...a non-presence of Y power control messages on the common reverse channel within a second window of time, wherein the common reverse channel is temporally same and shared by the plurality of receiving devices"*; and claimed again

in independent claim 15: *"if a second predetermined number of power control messages are not detected on the reverse channel within a second time frame, decreasing the transmit power level for subsequent signals; otherwise, maintaining the transmit power level."* Accordingly the rejections of dependent claim 11, and independent claims 12, 14 and 15 are overcome. Dependent claims 13, 16 and 17 provide further limitations to what are believed to be allowable claim 15 and hence are also in condition for allowance.

Claims 18-20 are dependent claims providing further limitations to what are believed to be allowable independent claims and hence are also in condition for allowance.

Accordingly, none of the cited references taken individually or in combination teach or suggest that which is taught and claimed by applicants' invention. The rejection under rejections of all claims under 35 U.S.C. § 103(a) are believed to be overcome. It is respectfully requested that the application be reconsidered, that Claims 1-20 be allowed, and that the application be passed to issue.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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